THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.798 of 2006

Dated: 26-09-2006

Between:

Botchu Srinivasulu and another

..... PETITIONERS

AND

The Government of Andhra Pradesh rep.
by its District Collector, Ongole and 3 others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.798 of 2006

ORDER:

The petitioners are the brothers. They have statedly occupied small extents of land admeasuring Ac.0.02½ cents each in survey No.94 situated at Ramayapatnam village, Ulavapadu Mandal, Prakasam District, raised thatched houses and living there. Respondent No.2 also recognized their possession by issuing proceedings No.74/99, dated 29-01-1999. They allege that respondent Nos.3 and 4 are inimically disposed of towards them and at their behest, respondent Nos.1 and 2 are trying to remove the thatched houses coercively. Therefore, they filed the present writ petition seeking a direction to respondent Nos.1 and 2 not to remove the thatched houses without due process of law.

After getting instructions from respondent Nos.1 and 2, the learned Assistant Government Pleader for Revenue (General) submits that the dispute is between the petitioners on the one side and respondent Nos.3 and 4 on the other side. He also submits that there is no attempt on the part of respondent Nos.1 and 2 to remove the thatched houses constructed by the petitioners. He also does not dispute that if the petitioners are to be evicted, they have to be issued notices and due process of law has to be followed. In view of this, the writ petition is disposed of giving liberty to the petitioners to seek remedies against respondent Nos.3 and 4 in civil Court. No costs.

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(**V.V.S.RAO, J**)

26th September, 2006

Note:

Office to dispatch a copy of this order in one week.

B/o

ghn